

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Carrier Current Systems, including)	ET Docket No. 03-104
Broadband over Power Line Systems)	
)	
Amendment of Part 15 regarding new)	ET Docket No. 04-37
Requirements and measurement)	
Guidelines for Access Broadband over)	
Power Line Systems)	

REPLY COMMENTS ON NOTICE OF PROPOSED RULE MAKING

The National Association of Shortwave Broadcasters (NASB) hereby enters its Reply Comments in the above Proposed Rule Making. Specifically, NASB wishes to endorse the Comments filed by the American Radio Relay League (ARRL) and by the North American Shortwave Association (NASWA).

ARRL

NASB endorses the Comments of ARRL which has done a significant amount of study and field testing of the effects of Access BPL in regards to its broadcast bands. One can easily infer that these same detrimental effects would also occur on the broadcast bands, as well as other licensed users of this spectrum.

ARRL makes very clear, straightforward, and common sense objections to Access BPL as currently proposed. NASB concurs completely with the statements in the ARRL Comments.

Further, NASB concurs with the ARRL that Access BPL is being “fast-tracked” and rushed into acceptance without the proper rules, restrictions, compliance testing, and resolution procedures. There is mounting evidence that Access BPL will cause significant interference to licensed radio services which is not in the public interest. NASB concurs with ARRL that the FCC not permit Access BPL at this time.

NASWA

NASB further supports the views and conclusions in the Comments of the North American Shortwave Association (NASWA). The NASWA Comments correctly point out, in the view of NASB, the obligations of the United States under the ITU Radio Regulations to prevent and not merely “mitigate” harmful interference to the broadcast bands.

Further, NASB fully agrees with the NASWA’s skepticism that any broadcast listener will be able to successfully “mitigate” his interference complaint with an Access BPL provider. The NASWA discussion presents a common sense scenario of why “mitigation” is not likely to occur.

Additionally, the NASB fully supports the NASWA proposal to confine Access BPL emissions to the bands above 30 MHz. NASB believes that NASWA presents a good and compelling compromise that will allow Access BPL systems to be implemented while protecting the existing users of the broadcast spectrum below 30 MHz.

Additional Comments

The adoption of the rules contemplated in this rulemaking will dramatically impact the viability of shortwave broadcasters to bring Digital shortwave radio to the consumer. The FCC is currently seeking comments on ET Docket 04-139 to implement decisions from the 2003 World Radiocommunications Conference (2003). WRC-03 invited administrations to encourage the inclusion of digital modulation capability in all new HFBC transmitters put into service after January 1, 2004. Recently, the ITU approved the use of the Digital Radio Mondiale (DRM) standard for broadcasting use in frequency bands below 30 MHz and some international broadcasters have begun DRM transmissions. The effect of the WRC2003 proposals would be to grant U.S.-licensed international broadcast stations the flexibility to continue to transmit analog or digital DRM signals.

Conclusion

Accordingly, NASB continues to believe that implementation of Access BPL as proposed will result in a significant detrimental impact on international obligations related to HF broadcasting and further that the proposed amendments may well result in the U.S. consumer being deprived of new technologies designed to provide FM-like sound quality to the shortwave audience. For the reasons set forth in Comments and Reply to Comments, NASB respectfully submits that Access BPL, as proposed, is ill advised and unworkable.

Respectfully Submitted,

NATIONAL ASSOCIATION OF SHORTWAVE BROADCASTERS